

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being filed electronically with the U.S. Patent and Trademark Office on the below date:

Date: July 24, 2007

Name: Heidi A. Dore, Reg. No. 50,775

Signature: Heidi A. Dore

Attorney Docket No. 10000-125
Client Reference No. PA-5361-RFB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vihar C. Surti et al.

Serial No. 10/802,555

Filing Date: March 30, 2004

For Pediatric Atresia Magnets

Examiner Christopher Koharski

Group Art Unit No. 3763

REQUEST FOR CORRECTION OF FILING RECEIPT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attention: Application Processing Division
Customer Correction Branch

Sir:

Applicants request the issuance of a corrected filing receipt (corrections attached at Tab A) for the above-referenced patent application, and in support of this request respectfully state:

Under "Vihar C. Surti, Winston-Salem, NC," please add:

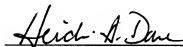
--Mario Zaritzky, M.D., La Plata, Argentina--

On May 10, 2006, Applicants filed a Resubmission of Declaration (copy attached at Tab B) resubmitting the Declaration for second inventor Mario Zaritzky, M.D. that was originally submitted on September 4, 2004. Attached at Tab C is a copy of the white return postcard for this filing with a date-received stamp of May 15, 2006.

The Commissioner is hereby authorized to charge any fees required to
Deposit Account No. 23-1925.

Dated: July 24, 2007

Respectfully submitted,

A handwritten signature in cursive script, reading "Heidi A. Dare", is written over a horizontal line.

Heidi A. Dare
Registration No. 50,775
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

Tab A



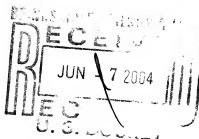
UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPL NO	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/802,555	03/30/2004	3743	942	10000/125	2	19	5

CONFIRMATION NO. 6408

00757
 BRINKS HOFER GILSON & LIONE
 P.O. BOX 10395
 CHICAGO, IL 60610



FILING RECEIPT



OC000000012832143

Date Mailed: 06/01/2004

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Vihar C. Surti, Winston-Salem, NC;
 Mario Zaritzky, M.D., La Plata, Argentina

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted: 05/31/2004

Projected Publication Date: 10/06/2005

Non-Publication Request: No

Early Publication Request: No

Title

Pediatric atresia magnets

Preliminary Class

602

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

Tab B

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

May 10, 2006

Date of Deposit

Heidi A. Dare, Reg. No. 50,775

Name of applicant, assignee or
Registered Representative



Signature

May 10, 2006

Date of Signature

Our Case No. 10000-125

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Vihar C. Surti et al.)	
)	Examiner: Christopher Koharski
Serial No. 10/802,555)	
)	Group Art Unit No. 3763
Filing Date: March 30, 2004)	
)	
For: PEDIATRIC ATRESIA MAGNETS)	

RESUBMISSION OF DECLARATION

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants submitted a Declaration for second inventor Mario Zaritzky, M.D. on September 4, 2004 (attached at Tab 1 with a copy of the transmittal). The Declaration was subsequently returned to Applicants with the Recorded Assignment. No Updated Filing Receipt was issued listing Mario Zaritzky, M.D. as a second inventor.

Application Serial No. 10/802,555
Resubmission of Declaration

Applicants hereby resubmit the Declaration for second inventor Mario Zaritsky, M.D. and request that an Updated Filing Receipt be issued indicating Mario Zaritsky, M.D. as a second inventor.

Respectfully submitted,

A handwritten signature in cursive script, reading "Heidi A. Dare", is written over a horizontal line.

Heidi A. Dare
Registration No. 50,775
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: September 2, 2004 Name: Alejandro J. Fernandez

Signature: [Signature]

**BRINKS
HOFFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **Vihar C. Surti, et al.**

Appln. No.: **10/802,555**

Filed: **March 30, 2004**

For: **PEDIATRIC ATRESIA MAGNETS**

Attorney Docket No: **10000/125**

Examiner: **N/A**

Art Unit: **3743**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

- ☒ Assignment Recordal.
- ☒ Assignment.
- ☒ Declaration.
- ☒ Return Receipt Postcard

Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$_____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$_____ under 37 C.F.R. § 1.17(_____).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity		Not a Small Entity		
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+ \$145=			+ \$290=	
Total					\$			Total	\$

Fee payment:

- ☒ A check in the amount of **\$40.00** is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$_____. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.77 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

[Signature]
Alejandro J. Fernandez (Reg. No. 52,886)

Date

9.2.04

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled PEDIATRIC ATRESIA MAGNETS, the specification of which:

- ☒ is attached hereto.
☐ was filed on _____ as Application Serial No. _____.
☐ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

☐

Yes

No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status-patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature

Full name of second joint inventor, if any

Residence

Citizenship

Post Office Address

Mario Zaritzky, M.D.

La Plata, Argentina

Calle 11 # 1631, La Plata, Argentina

BRINKS HOFER GILSON & LIONE

P.O. Box 10395

Chicago, IL 60610

(312) 321-4200

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled PEDIATRIC ATRESIA MAGNETS, the specification of which:

- ☒ is attached hereto.
☐ was filed on _____ as Application Serial No. _____.
☐ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)**Priority Claimed**

(Number)

(Country)

(Day/Month/Year Filed)

☐☐

Yes

No

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status-patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's Signature

Full name of second joint inventor, if any

Residence

Citizenship

Post Office Address

Mario Zaritzky, M.D.

La Plata, Argentina

Calle 11 # 1631, La Plata, Argentina

BRINKS HOFER GILSON & LIONE

P.O. Box 10395
Chicago, IL 60610
(312) 321-4200

Tab C

Serial No. 10/802,555
Applicants: VIHAR C. SURTI ET AL.
Client/Matter No.: 10000-125

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



Please acknowledge receipt of the below identified:
Transmittal Letter (in duplicate); Amendment; New Sheet of additional
drawing Figure 6; Resubmission of Declaration, including copy of
Declaration and Transmittal letter submitted September 4, 2004 at Tab 1;
Declaration.

BRINKS HOFER GILSON & LIONE
By: Heidi A. Dare, Reg. No. 50,775
Date of Mailing: May 10, 2006